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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/802,448	03/17/2004	Vijay K. Sinha	699-02-PA	3993

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EXAMINER

DEBERADINIS, ROBERT L

ART UNIT	PAPER NUMBER
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2836

DATE MAILED: 12/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/802,448

Applicant(s)

SINHA, VIJAY K.

Examiner

Robert DeBeradinis

Art Unit

2836

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 August 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1,2 are rejected under 35 U.S.C. 102(b) as being anticipated by CHEN 6,169,389.

Claim 1.

CHEN discloses a battery-less backup power supply for a telephone of a type that incorporates control electronics requiring an external source of power greater than that available from the loop of a Telco comprising: a capacitor (6) having a first lead coupled to ground; a circuit for charging the capacitor from at least one of the external power source and the local loop (Vs,2,T,R,3); and a circuit for coupling the charge of the capacitor to the control electronics of the telephone when the external power source is not functioning (4).

Claim 2.

CHEN discloses wherein the capacitor comprises an Electric Double Layer Capacitor (col. 5, line 7). The super capacitor is an EDLC device.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over CHEN 6,169,389 in view of SHINER et al. 20030076642.

Claim 3.

CHEN discloses the backup power supply of claim 1.

CHEN does not disclose wherein the charging circuit comprises: a first diode having a first lead coupled to ground; and an electrical connection between the external power source and a second lead of the first diode and a second lead of the capacitor, whereby the capacitor is charged to the lesser of the breakdown voltage of the first diode and the voltage of the external power source when the external power supply is functioning.

SHINER teaches the above circuit configuration to protect the super capacitor (102) from an over voltage condition.

It would have been obvious to one having ordinary skill in the art at the time of this invention to have modified the energy storage system to have the circuit arrangement as claimed above to protect the energy storage device from an over voltage condition.

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Claims 4-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over CHEN 6,169,389 in view of SHINER et al. 20030076642 in further view of KELLEY et al. 5,133,005.

Claim 4.

CHEN in view of SHINER discloses the backup power supply of claim 3.

CHEN in view of SHINER does not disclose the bridge rectifier having opposite first and second terminals coupled to the tip and ring signals of the local loop.

KELLEY et al. discloses the bridge rectifier (D4, figure 2C) connected in the claimed arrangement.

It would have been obvious to one having ordinary skill in the art at the time of this invention to have modified the capacitor storage system to include the bridge rectifier to supply the Vs source to the storage device.

Claims 5-11.

KELLEY et al. discloses line powered pay telephone with power management including the microprocessor (U1) is programmable and will wake up responsive to a wakeup signal and will proceed according to its program (Figure 1,col. 3, lines 50-65+).

Claims 12-17.

CHEN in view of SHINER in further view of KELLEY et al. discloses a battery-less backup power supply for a telephone of a type that incorporates control electronics requiring an external source of power greater than that available from the service loop of a Telco when the telephone is on-hook.

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Claims 18-20.

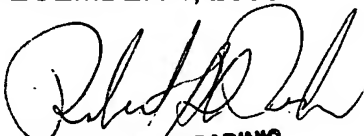
CHEN in view of SHINER in further view of KELLEY et al. discloses a method for providing backup power to a telephone of a type that incorporates control electronics requiring an external source of power greater than that available from the service loop of a Telco when the telephone is on-hook without using batteries.

Any inquiry concerning this communication should be directed to Robert L. DeBeradinis whose number is (571) 272-2049. The Examiner can normally be reached Monday-Friday from 8:30 am to 5:00 pm.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Brian Sircus, can be reached on (571) 272-2058. The Fax phone number for this Group is (571) 272-8300.

RLD

DECEMBER 4, 2006


ROBERT L. DEBERADINIS
PRIMARY EXAMINER